

Brown v. Board of Education was a legal landmark, but the reason that the anniversary is being observed, rather than celebrated, is what Edwards had the courage to point out. In far too many places, the notion of equal opportunity in education is still far from reality.

In "Beyond Brown v. Board: The Final Battle for Excellence in American Education," written for the Rockefeller Foundation and published this week, Ellis Cose of Newsweek cites example after example of the holes that remain in the system. "[B]lacks (and Puerto Ricans and Mexican-Americans) do not, for the most part, go to the same schools, or even the same types of schools, as do the majority of non-Hispanic whites," Cose wrote. "They are more likely to go to schools such as those found in parts of rural South Carolina; schools that, were it not for the American flags proudly flying over the roofs, might have been plucked out of some impoverished country that see education as a luxury it can barely afford."

The law firm headed by Richard Riley, the former secretary of education in the Clinton Cabinet, represents parents and school officials in several of those poor South Carolina counties in a lawsuit seeking to force the state to provide more funds for those schools. With integration—the original goal for the Brown decision—thwarted in many places by residential segregation, resistance to busing and the growing reluctance of federal courts to impose their orders, Cose points out that the new legal battleground has become state court lawsuits seeking "adequacy" in school funding.

The suits, which have begun to win scattered success in states as diverse as New York, North Carolina, Arizona and Idaho since the first breakthrough in Kentucky in 1989, ask the courts to require that the state determine what it takes to educate a child adequately—in staff, facilities, books and equipment—and come up with the money to provide it.

The movements fits logically with the standards set in President Bush's No Child Left Behind education reform. The 2002 law aims at either rescuing or shuttering low-performing schools and especially at helping students who have been shuffled through grades without really getting an education.

By measuring youngsters' competence in basic skills at regular intervals and requiring adequate progress for all parts of the school population—not just the bright students—NCLB pressures states and districts to take steps to eliminate education failures. And that in turn sets up a demand for better principals and teachers and materials.

But standards by themselves will not end the two-track education system. Resources have to flow to the schools and districts that lack the tools they need. A recently published "Look Inside 33 School Districts" by the Center on Education Policy, an independent advocate for more effective public schools, draws the contrast.

The Romulus, N.Y., school system, a small suburban district between Rochester and Syracuse, has found no difficulty meeting the first two years of NCLB requirements. "The district has taken steps to not only recruit well-qualified teachers for any vacancies that arise, but also retain them," the report says. "Romulus has established an extensive mentoring program that taps the expertise of retired teachers by matching them in mentor relationships with new teachers" that continue for a full year. No surprise, then, that "Romulus students perform at high levels."

A few pages later in the report one finds the Cleveland Municipal School District, whose officials "applaud the spirit of NCLB and agree that schools should be held ac-

countable" but where "implementation has been rocky." The district could not reach its mandated improvement goals, with 27 schools on a watch list for failing to meet standards. Officials cannot say how many Cleveland teachers rate as "highly qualified." And state budget cuts cost Cleveland schools \$33 million in the current biennium.

The Romulus schools are 97 percent white; the Cleveland schools, 80 percent non-white. Fifty years after Brown, John Edwards' description still applies.

Mr. SCHUMER. Mr. President, I commemorate the 50th anniversary of the landmark United States Supreme Court decision, Brown v. Board of Education.

On May 17, 1954, Justice Earl Warren read the unanimous decision of the United States Supreme Court, which stated, "We conclude that, in the field of public education, the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal."

The decision made a statement about the course that this country needed to take to achieve the greatness that we, as a Nation, are capable of achieving. Brown v. Board of Education became the measure of equality—and a platform on which the civil rights era was born.

In December 1955, Rosa Parks refused to give up her seat on a Montgomery, AL, bus to a white person and was arrested. This sparked an outrage in the African American community, who decided to boycott the city's buses as a way to challenge the city's segregation laws. The boycott led to a 1956 Supreme Court decision that banned segregated buses.

In September 1957, the commitment to equality in education was reiterated in Little Rock, AK, when President Eisenhower sent troops to Central High School to uphold the Supreme Court's desegregation order protecting the rights of the "Little Rock Nine."

In 1960, four freshmen from North Carolina Agricultural and Technical College in Greensboro, NC, were refused service at a lunch counter at the F.W. Woolworth Store. They sat quietly, without being served, until the store's closing. The next day, they returned with 25 more students from the college. Peaceful protests at lunch counters across the country were initiated and lasted for weeks. The lunch counter protests resulted in a number of stores integrating prior to the passage of the Civil Rights Act of 1964.

On October 1, 1962, federal officials escorted James Meredith, as he became the first African American to enroll at, and later graduate from, the University of Mississippi.

On August 28, 1963, hundreds of thousands of marchers—of all races—descended on Washington, DC to urge Congress to pass legislation to provide equal access to public facilities, quality education, sufficient employment and housing options for African Americans.

The Brown decision and the events flowing from it were major catalysts

that led the way for the passage of the Civil Rights Act of 1964, the Voting Rights Act of 1965, and the Fair Housing Act of 1968.

While we must never lose sight of the benefit and the power of the Brown v. Board of Education decision, we must not believe that the fight for true equality is over and won.

Fifty years later, our country is struggling along the path toward a truly equal society. Unfortunately, today, in many areas, we are still separate and unequal. Individuals come to work in integrated environments and return home to segregated neighborhoods. Parents send their children to schools that seem to be returning to those reminiscent of the days of segregation.

The road to Brown v. Board of Education was not an easy one, nor was it swift. So, on this, the 50th Anniversary of the Brown v. Board of Education decision, it is important that we not only recognize the struggle behind the Civil Rights movement, but that we rededicate ourselves to the goal of providing equal opportunity for all.

VOTE EXPLANATION

Mr. BIDEN. Mr. President, as was announced yesterday, I was not able to be here for the vote on the amendment offered by Senator HUTCHISON, No. 3152, which includes service academy cadets and midshipmen in the military's disability discharge and retirement system and allows ROTC cadets to use TRICARE supplemental health care programs when they are injured during training. This amendment makes an important improvement to the health care of our future military leaders, and I would like the record to reflect that, had I been here, I would have voted for that amendment which passed unanimously.

LOCAL LAW ENFORCEMENT ACT OF 2003

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. On May 1, 2003, Senator KENNEDY and I introduced the Local Law Enforcement Enhancement Act, a bill that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society.

On January 15, 2001, a man was killed in a ninja-like stabbing in Prospect Park, NY, near a popular area for gay men. The victim was slashed across the throat and stabbed in the chest and back. Because nothing was stolen from the victim, police believe he was killed because he was believed to be gay.

I believe that Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.